

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

)	
)	
JENNIFER ELIZABETH MELERSKI,)	
)	
Plaintiff,)	
)	
v.)	Case No. 4:15CV00039
)	
)	
VIRGINIA DEPARTMENT OF)	
BEHAVIORAL HEALTH AND)	
DEVELOPMENTAL SERVICES,)	
)	
Defendant.)	

PLAINTIFF'S FIRST MOTION TO COMPEL

COMES NOW Plaintiff, Jennifer Elizabeth Melerski, by counsel, pursuant to Federal Rule of Civil Procedure 37 and files this First Motion to Compel. In support of this Motion, Plaintiff states that the parties have in good faith attempted to resolve outstanding issues as enumerated within the contemporaneously filed Brief in Support.

WHEREFORE, Plaintiff respectfully requests the following relief:

- A. That the Court enter an Order compelling the Defendant to produce all statistical data as detailed in the Brief in Support;
- B. That the Court enter an Order providing Plaintiff's counsel with attorneys' fees related to the filing of this unnecessary Motion and reimbursing Plaintiff for any additional costs incurred by Plaintiff for requiring the Plaintiff's expert witness to participate in the drafting of this Motion ; and
- C. Any and all such further relief as the Court deems equitable.

Respectfully submitted,

/s/ Thomas E. Strelka
Thomas E. Strelka, VA Bar No. 75488
L. Leigh R. Strelka, VA Bar No. 73355
STRELKA LAW OFFICE, PC
119 Norfolk Avenue, S.W.
Suite 330, Warehouse Row
Roanoke, Virginia 24011
540.283.0802
thomas@strelkalaw.com
leigh@strelkalaw.com

Counsel for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on the 13th day of April, 2016, I electronically filed this pleading on the Court's CM/ECF filing system which contemporaneously sent a Notice of Electronic Filing to:

Gregory C. Fleming
Senior Assistant Attorney General
Karen Taylor
Assistant Attorney General
Office of the Attorney General
900 East Main Street
Richmond, Virginia 23219
Telephone: (804) 786-5636
Fax: (804) 371-2087
Email: gffleming@oag.state.va.us
kataylor@oag.state.va.us

Counsel for Defendant

/s/ Thomas E. Strelka